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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

MAY 29 2003

ARIZONA CORPORATION COMMISSION
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MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
MIDVALE TELEPHONE EXCHANGE, INC. FOR
AUTHORIZATION TO PROVIDE FACILITIES-
BASED BASIC LOCAL EXCHANGE SERVICE
AND TOLL ACCESS TELEPHONE SERVICE TO
CURRENTLY UNSERVED RESIDENTIAL
DEVELOPMENTS KNOWN AS CROSSROADS
RANCH, POQUITO VALLEY AND BREEZY
PINE.

DOCKET NO. T-02532A-03-0017

PROCEDURAL ORDER**BY THE COMMISSION:**

On January 10, 2003, Midvale Telephone Exchange, Inc. ("Applicant" or "Midvale") submitted to the Arizona Corporation Commission ("Commission") an application requesting authority to amend its Certificate of Convenience and Necessity ("Certificate") to provide facilities-based local exchange and toll access telecommunications services to the residential developments known as Crossroads Ranch, Poquito Valley and Breezy Pine.

On May 14, 2003, the Commission's Utilities Division Staff ("Staff") filed in this docket a letter notifying the Applicant that its application is administratively.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing on the above application shall commence on August 20, 2003 at 10:00 a.m. or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that Applicant shall publish notice of its filing, as set forth below, in a newspaper(s) of general circulation in every county in Arizona in which Applicant desires

1 to provide services by July 1, 2003, and shall file Affidavits of Publication with the Commission no
2 later than July 15, 2003.

3 **NOTICE OF APPLICATION FOR A CERTIFICATE**
4 **OF CONVENIENCE AND NECESSITY TO PROVIDE**
5 **COMPETITIVE RESOLD AND FACILITIES-BASED INTEREXCHANGE,**
6 **LOCAL EXCHANGE AND EXCHANGE ACCESS**
7 **TELECOMMUNICATIONS SERVICES**
8 **BY MIDVALE TELEPHONE EXCHANGE, INC.**
9 **Docket No. T-02532A-03-0017**

10 Midvale Telephone Exchange, Inc. ("Applicant") has filed with the Arizona
11 Corporation Commission ("Commission") an application for a Certificate of
12 Convenience and Necessity ("Certificate") to provide facilities-based local exchange
13 and toll access telecommunications services in the State of Arizona. If the Certificate
14 is granted, Applicant will be required by the Commission to provide these services
15 under the rates and charges and terms and conditions established by the Commission.

16 The application, report of the Commission's Utilities Division Staff, and any
17 written exceptions to the staff report prepared by the applicant are available for
18 inspection during regular business hours at the offices of the Commission located at
19 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

20 Under appropriate circumstances, interested parties may intervene in this
21 proceeding and participate as a party. Intervention shall be in accordance with A.A.C.
22 R14-3-105, except that all motions to intervene must be filed on or before August 1,
23 2003. Persons desiring to intervene must file a written motion to intervene with the
24 Commission and send such motion to the Company or its counsel and to all parties of
25 record. The motion to intervene must contain the following:

26 1. The name, address, and telephone number of the proposed intervenor and of
27 any party upon whom service of documents is to be made if different than the
28 intervenor.

2. A short statement of the proposed intervenor's interest in the proceeding
(e.g. a customer of the company, a shareholder of the company, a competitor, etc.).

3. A statement certifying that a copy of the motion to intervene has been
mailed to the Company or its counsel and to all parties of record in the case.

A.A.C. R14-3-105 governs the granting of motions to intervene. The granting
of intervention, among other things, entitles a party to present sworn evidence at the
hearing and to cross-examine other witnesses. However, failure to intervene will not
preclude any interested person or entity from appearing at the hearing and making a
statement. The hearing is scheduled to commence on August 20, 2003, at 10:00 a.m.
at the Arizona Corporation Commission, 1200 West Washington Street, Phoenix,
Arizona 85007. Please check with the Commission for any changes to the scheduled
hearing date.

If you have any written comments or want to intervene in this matter, mail an original
and 13 copies to:

The Arizona Corporation Commission
 Attention Docket Control
 re: Midvale Telephone Exchange, Inc.
 T-02532A-03-0017
 1200 West Washington Street
 Phoenix, Arizona 85007

If you have any questions about this application, or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodations such as sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-3931, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Staff shall file a Staff Report on or before August 1, 2003.


IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before August 1, 2003.

IT IS FURTHER ORDERED that Applicant shall file specific disagreements/comments, if any, regarding the application and/or Staff Report by August 13, 2003.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 29 day of May, 2003.


 PHILIP J. DION III
 ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 29 day of May, 2003 to:

Lane R. Williams
 Midvale Telephone Exchange, Inc.
 P.O. Box 7
 Midvale, ID 83645

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20 ARIZONA REPORTING SERVICE, INC.
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22 Phoenix, Arizona 85004-1104

23 By: 
24 Molly Johnson
25 Secretary to Philip J. Dion III
26
27
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